

03-15-10

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2010 MAR 19 PM 3:27

Practitioner's Docket No. KOTOV-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent

Patent No. 6,997,267

Issue Date 02/14/2006

Application

Application No. 10/090,515

Filing Date 03/01/2002

RECEIVED

MAR 26 2010

OFFICE OF PETITIONS

United States Patent and Trademark Office

P.O. Box 371611

Pittsburgh, PA 15250-1611

PAYMENT OF PATENT MAINTENANCE FEE
(37 C.F.R. § 1.366)

1. Enclosed is the payment of the maintenance fee for this patent.
2. Maintenance Fee

The fee payment is being made during the window period, and is for the after grant period of:

Fee

OTHER THAN
SMALL ENTITY

3-1/2 years (37 C.F.R. § 1.20(e))

\$ 980.00 (Fee Code 1551)

Fee due: \$ 930.00

3. Surcharge--(37 C.F.R. § 1.20(h))

This payment is being made during the surcharge period. The additional fee due is also being paid (37 C.F.R. § 1.20(h)).

Surcharge fee due: \$130.00

TOTAL FEE BEING PAID

\$1,060.00

4. Loss of Entitlement to Small Entity Status

The status of this patent has changed from that of small entity to other than that of small entity.

A "NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY" signed by an appropriate party as required by 37 C.F.R. § 1.27(g)(2) and § 1.33(b) is attached.

5. Fee Payment

Attached is a check in the amount of \$1,060.00.

03/23/2010 DALLEN 00000022 6997267

01 FC:1599

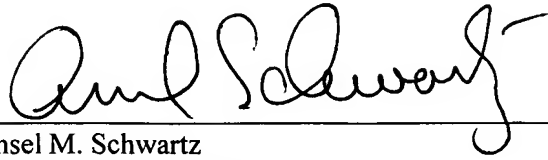
02 FC:1463

1060.00 OP

200.00 OP

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 19-0737.

A duplicate of this paper is attached.

A handwritten signature in black ink, appearing to read "Ansel Schwartz", written over a horizontal line.

Ansel M. Schwartz
Registration No. 30,587
Attorney at Law
201 N. Craig Street
Suite 304
Pittsburgh, PA 15213
412-621-9222



Practitioner Docket No. KOTOV-10

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Patent No. 6,997,267
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(37 C.F.R. § 1.366)**

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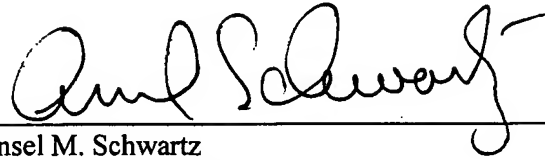
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412-621-9222



Practitioner's Docket No. KOTOV-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Irwin Kotovsky

RECEIVED

MAR 26 2010

Application No.: 10/090,515

Filed: 03/01/02

For: METHOD AND APPARATUS FOR A LIGHTING AND/OR MECHANICAL SYSTEM OFFICE OF PETITIONS

Patent No.: 6,997,267

Issued: February 14, 2006

**CERTIFICATION OF EXPRESS MAILING (CEM) 37 C.F.R. § 1.10
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional)**

I hereby certify that on March 12, 2010 the following correspondence:

Name of Paper: NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY (37
C.F.R. § 1.27(g)(2))

Number of Pages: 1

is being deposited with the United States Postal Service in an envelope addressed to the

Commissioner for Patents
PO Box 1450
Alexandria, Virginia, 22313-1450

as "Express Mail Post Office to Addressee" Mailing Label No. EM349194870US. (*mandatory*)

Tracey L. Klaas
Signature

Telephone Number: 412-621-9222

Tracey L. Klaas
Type or print name of person certifying

Practitioner's Docket No. KOTOV-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

Patentee: Irwin Kotovsky

MAR 26 2010

Application No.: 10/090,515

Filed: 03/01/02

Patent No.: 6,997,267

Issued: February 14, 2006

Title: METHOD AND APPARATUS FOR A LIGHTING AND/OR MECHANICAL SYSTEM

OFFICE OF PETITIONS

Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

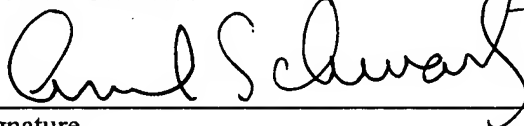
NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY
(37 C.F.R. § 1.27(g)(2))

1. Applicant asserted small entity status in this application on March 1, 2002 by:
payment of the basic filing fee as a small entity (37 C.F.R. § 1.27(c)(3))
2. Applicant hereby notifies the Office, in accordance with the requirements of 37 C.F.R. § 1.27(g)(2), that it no longer has status as a small entity.

Date: _____

3/12/10

Ansel M. Schwartz


Signature

201 N. Craig Street
Suite 304
Pittsburgh, PA 15213

Practitioner of record § 34(b)

Registration No: 30,587

Tel. No.: 412-621-9222

Reg. No.: 30,587



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/090,515
Applicant : Irwin Kotovsky
Filed : March 1, 2002
Art Unit : 3752
Examiner : Steven J. Ganey
Docket No. : KOTOV-10
Title of the Invention : Method and Apparatus for a Lighting and/or Mechanical System

RECEIVED
MAR 26 2010
OFFICE OF PETITIONS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. 1.377

Sir:

Petitioner requests that the Commissioner accepts the enclosed payment of the maintenance fee for U.S. Patent No. 6,997,267 as timely paid on February 16, 2010. Petitioner deposited with the United States Postal Service in Express Mail on February 16, 2010 the required payment and accompanying documentation for change of entity status with the Express Mail Certification addressed to: United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611 (hereinafter the "Address"), but the Commissioner refused to accept it because the box number no longer existed. See Attachment A, which is a copy of the documentation filed in Express Mail on February 16, 2010 with the United States Postal Service. See Attachment B, which is a copy of the express mail receipt from the United States Postal Service showing that United States Postal Service received the Express Mail package at 3:18 PM on February 16, 2010.

The Express Mail envelope was addressed to the Address because the United States Patent and Trademark Office website instructed the maintenance fee paid by Express Mail was to be addressed to the Address. See Attachment C, which is a copy of the webpage of the United States Patent and Trademark Office that instructs maintenance fee payments paid by Express Mail to be addressed to the Address.

On or about February 22, 2010, the United States Postal Service returned the Express Mail package to Petitioner's attorney because the address on the Express Mail envelope no longer was at that box number. See Attachment D, which is a copy of the returned Express Mail envelope with the stamp by United States Postal Service "Return to Sender No Longer at this Box Number."

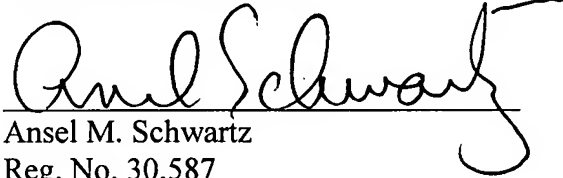
In a subsequent phone call by Petitioner's attorney with Terry Hooper of the Maintenance Receipts Accounting Division of the United States Patent and Trademark Office, she stated that the United States Patent and Trademark Office had stopped using the Address several years ago and that the United States Patent and Trademark Office had mistakenly not corrected the webpage removing this incorrect Address. She instructed that a Petition needed to be filed so that the maintenance fee could be timely accepted.

Accordingly, Petitioner respectfully requests that the Commissioner accept the enclosed maintenance fee payment and change of entity status effective February 16, 2010, so that the maintenance fee will be timely filed and there will be no lapse in the validity of U.S. Patent 6,997,267. As explained above, Petitioner attempted to properly pay the maintenance fee and change the entity status effective February 16, 2010, according to the address identified by the United States Patent and Trademark Office, but it was not accepted by the Commissioner because the Commissioner had stopped using the very address it identified as the location for which the maintenance fee was to be sent by Express Mail.

A petition fee of \$200.00, as set forth by 37 C.F.R. 1.117(g) is enclosed to pay for this Petition, but if the Petition is accepted, it is requested that the petition fee be returned to Petitioner by way of Deposit Account Number 19-0737 as this was because of an error by the U.S. Patent and Trademark Office.

The Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 19-0737. A duplicate copy of this Petition is enclosed.

Respectfully submitted,

A handwritten signature in cursive script, reading "Ansel Schwartz", written over a horizontal line.

Ansel M. Schwartz
Reg. No. 30,587
201 N. Craig Street
Suite 304
Pittsburgh, PA 15213
Tel.: (412) 621-9222

Attorney for Petitioner



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/090,515

Applicant : Irwin Kotovsky

Filed : March 1, 2002

Art Unit : 3752

Examiner : Steven J. Ganey

Docket No. : KOTOV-10

Title of the Invention : Method and Apparatus for a Lighting and/or Mechanical System

RECEIVED

MAR 26 2010

OFFICE OF PETITIONS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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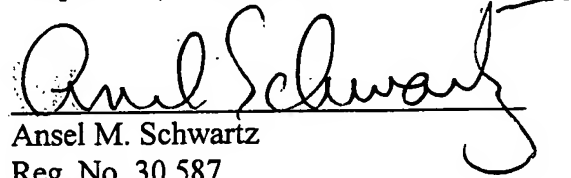
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Ansel M. Schwartz
Reg. No. 30,587
201 N. Craig Street
Suite 304
Pittsburgh, PA 15213
Tel.: (412) 621-9222

Attorney for Petitioner



Practitioner's Docket No. KOTOV-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Irwin Kotovsky

Application No.: 10/090,515

Group No.: 3752

Filed: 03/01/2002

Examiner: Steven J. Ganey

For: METHOD AND APPARATUS FOR A LIGHTING AND/OR MECHANICAL SYSTEM

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RECEIVED

MAR 26 2010

EXPRESS MAIL CERTIFICATE

OFFICE OF PETITIONS

"Express Mail" label number EM349194870US

Date of Deposit 03/12/2010

I hereby state that the following *attached* paper or fee

PETITION UNDER 37 C.F.R. 1.377 + copy; Check for \$200.00; Attachments A-D; PAYMENT OF PATENT MAINTENANCE FEE; Check for \$1,060.00; NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Tracey L. Klaas

Signature of person mailing paper or fee



Practitioner's Docket No. KOTOV-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent

Patent No.: 6,997,267

Issue Date: 02/14/2006

Application

Application No.: 10/090,515

Filing Date: 03/01/2002

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**United States Patent and Trademark Office
P.O. Box 371611
Pittsburgh, PA 15250-1611**

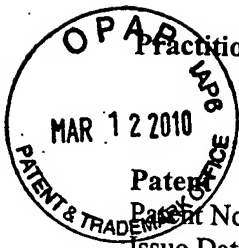
EXPRESS MAIL CERTIFICATE FOR MAINTENANCE FEE PAYMENT

"Express mail" label number EM349194968US
Date of Deposit 02/16/2010

I hereby certify that the following *attached* paper and fee paying the first maintenance fee in the above identified patent. Payment of Patent Maintenance Fee; Check for \$1,060.00; Notification of Loss of Status as Small Entity is/are being deposited with the United States Postal Service, "Express Mail Post Office to Addressee" service, under 37 C.F.R. § 1.10, on the date indicated above, and are addressed to the United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611.

Ansel M. Schwartz

Signature of person mailing paper



Practitioner's Docket No. KOTOV-10

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Patent
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Issue Date 02/14/2006

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Application No. 10/090,515
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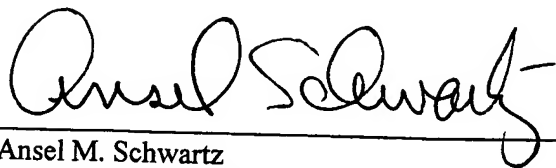
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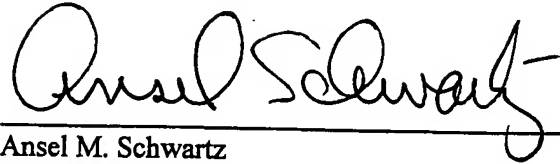
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In re application of: Irwin Kotovsky

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Application No.: 10/090,515

Filed: 03/01/02

MAR 26 2010

For: METHOD AND APPARATUS FOR A LIGHTING AND/OR MECHANICAL SYSTEM

OFFICE OF PETITIONS

Patent No.: 6,997,267

Issued: February 14, 2006

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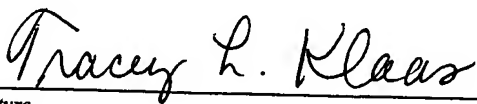
Name of Paper: NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY (37
C.F.R. § 1.27(g)(2))

Number of Pages: 1

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Commissioner for Patents
PO Box 1450
Alexandria, Virginia, 22313-1450

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Signature

Telephone Number: 412-621-9222

Tracey L. Klaas
Type or print name of person certifying

Practitioner's Docket No. KOTOV-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee: Irwin Kotovsky

Application No.: 10/090,515

Filed: 03/01/02

Patent No.: 6,997,267 Issued: February 14, 2006

Title: METHOD AND APPARATUS FOR A LIGHTING AND/OR MECHANICAL SYSTEM

Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

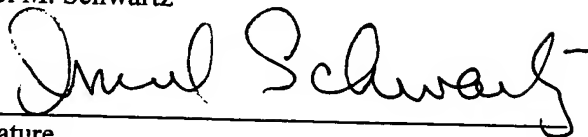
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2. Applicant hereby notifies the Office, in accordance with the requirements of 37 C.F.R. § 1.27(g)(2), that it no longer has status as a small entity.

Date: _____

2/15/10

Ansel M. Schwartz



Signature

201 N. Craig Street
Suite 304
Pittsburgh, PA 15213

Practitioner of record § 34(b)

Registration No: 30,587

Tel. No.: 412-621-9222
Reg. No.: 30,587

**ANSEL M. SCHWARTZ
ATTORNEY AT LAW**

ONE STERLING PLAZA
201 NORTH CRAIG ST., STE. 304
PITTSBURGH, PENNSYLVANIA 15213

2260

DATE

2/15/10

8-12-430

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Patent and Trademark Office

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Ansel Schwartz

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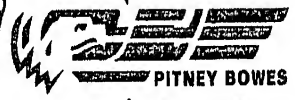
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UNITED STATES POSTAGE

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ANSEL M. SCHWARTZ
ATTORNEY AT LAW
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201 NORTH CRAIG STREET, SUITE 304
PITTSBURGH PA 15213

RECEIVED

MAR 26 2010

OFFICE OF PETITIONS

<p>The dating stamp of the Patent Office on this card will be taken as an indication that the accompanying paper was filed.</p> <p>Serial No. <u>10/090,515</u></p> <p>Paper Mailed <u>2/16/10</u></p> <p>Atty's File No. <u>KOTOV-10</u></p>	<p>EXPRESS MAIL CERTIFICATE FOR MAINTENANCE FEE PAYMENT PAYMENT OF PATENT MAINTENANCE FEE (37 C.F.R. § 1.366) + copy CK. #2260 for \$1,060.00 CERTIFICATION OF EXPRESS MAILING (CEM) 37 C.F.R. § 1.10; NOTIFICATION OF LOSS OF STATUS AS SMALL ENTITY (37 C.F.R. § 1.27(g)(2))</p>
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ORIGIN (POSTAL SERVICE USE ONLY)

PO ZIP Code 15224	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$ 18.30
Date Accepted 05/16/10	Scheduled Date of Delivery 05/27/10	Return Receipt Fee \$
Time Accepted <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM 3:18	Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee Insurance Fee \$ \$
Flat Rate <input type="checkbox"/> or Weight 3 lbs. ozs.	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$ 18.30
	Int'l Alpha Country Code	Acceptance Emp. Initials <i>Michael</i>

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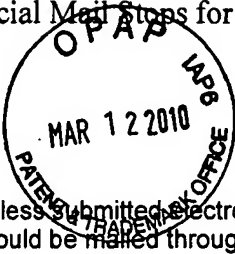
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